

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

FRED LOVETT

PLAINTIFF

vs.

Civil Action No. 3:05-cv-497 WS

BARBOUR INTERNATIONAL, INC.

DEFENDANT

FINAL JUDGMENT

Before this court is the motion of the defendant for summary judgment. After consideration of the motion, evidence offered in support of the motion, and the memoranda of the parties, the court finds that the motion of the defendant is well taken and should be granted. The Memorandum Opinion and Order entered by this court on December 9, 2005, is incorporated by reference. For the reasons assigned in the court's Memorandum Opinion and Order, the court concludes that judgment should be entered in favor of the defendant and against the plaintiff and that the defendant should be awarded its costs.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the complaint be, and it is hereby **DISMISSED WITH PREJUDICE** in accordance with this court's Memorandum Opinion and Order at the cost of the plaintiff.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant is entitled to recover its taxable costs in this action upon filing a Bill of Costs in the time and manner prescribed.

SO ORDERED AND ADJUDGED, this the 9th day of December, 2005.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

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Final Judgment